EXHIBIT B

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1 2 3 4 5 6	MANATT, PHELPS & PHILLIPS, LLP DONALD R. BROWN (Bar No. CA 156 E-mail: dbrown@manatt.com CARL L. GRUMER (Bar No. CA 06604 E-mail: cgrumer@manatt.com VIRAL MEHTA (Bar No. CA 261852) E-mail: vmehta@manatt.com 11355 West Olympic Boulevard Los Angeles, CA 90064-1614 Telephone: (310) 312-4000 Facsimile: (310) 312-4224	5548)
7 8 9 10 11 12	CLEARY GOTTLIEB STEEN & HAMI JONATHAN I. BLACKMAN (<i>Pro Hac</i> E-mail: jblackman@cgsh.com CARMINE D. BOCCUZZI (<i>Pro Hac Vic</i> E-mail: cboccuzzi@cgsh.com SARA A. SANCHEZ (<i>Pro Hac Vice</i> file E-mail: ssanchez@cgsh.com One Liberty Plaza, New York, NY 10006 Telephone: (212) 225-2000 Facsimile: (212) 225-3999	Vice filed) ce filed)
13 14	Attorneys for <i>Defendant</i> THE REPUBLIC OF ARGENTINA	
15	UNITED STATES DISTRICT COURT	
16	CENTRAL DISTRICT OF CALIFORNIA	
17	NML CAPITAL, LTD.,	No. CV11-03507-SJO (RZx)
18	Plaintiff,	Hon. S. James Otero
19	vs.	DECLARATION OF OLEH JACHNO IN SUPPORT OF
20	SPACEPORT SYSTEMS INTERNATIONAL LP a Delaware	DEFENDANT THE REPUBLIC OF ARGENTINA'S OPPOSITION TO
21	INTERNATIONAL, L.P., a Delaware limited partnership; THE REPUBLIC OF ARGENTINA, a foreign state; and	PLAINTIFF'S APPLICATION FOR RIGHT TO ATTACH ORDER AND
22	DOES 1-10,	WRIT OF ATTACHMENT
23	Defendants.	[Filed concurrently with: (1) Notice of Opp. and Claim of Exemp.; (2) Memo.
24 25		of Points & Auth.; (3) Declarations of Conrado Varotto and Donald R. Brown]
26		Hearing date: May 23, 2011 Time: 10:00 a.m. Courtroom: 1
27	,	Complaint filed: April 25, 2011
28		j complaint mon rapin bo, borr
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DECLARATION OF OLEH JACHNO

2 I, Oleh Jachno, declare as follows:

1. I am a lawyer employed by the Comisión Nacional de Actividades Espaciales ("CONAE"), the Argentine space agency in charge of planning, executing and evaluating the national space program of the Republic of Argentina (the "Republic" or "Argentina"). CONAE promotes the peaceful use of space science and technology and coordinates research, development and the transfer of space technology. I have been serving as head of CONAE's legal unit since 2003. I have personal knowledge of the facts set forth in this Declaration, and could and would competently testify to them if called as a witness.

- 2. I submit this Declaration to provide the Court with a description of CONAE's legal status and structure, in support of the Republic's Memorandum of Law in Opposition to Plaintiffs' Application for Right to Attach Order and Writ of Attachment.
- 3. CONAE was created by a Republic decree in 1991 as an entity with functional independence to promote and perform scientific research in the area of space technology and with the mission of developing Argentina's national space program. From its creation, CONAE has been an autarkic entity with its own legal personality separate from the Republic, and it therefore has financial and operational independence. Decree 995/1991, which created CONAE, specifically provides that CONAE was established "with full administrative and financial autarky." Under Argentine law, CONAE has full legal capacity to enter into contracts on its own behalf, and it can sue and be sued. CONAE has in fact entered into numerous contracts during its twenty years of existence and been involved in lawsuits on its own behalf.
- 4. CONAE is governed by a board of directors comprised of nine members (the "Board"). The president and vice-president of the Board are the Minister of Foreign Affairs, International Commerce and Worship and the 300248804.1

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1	Secretary of Foreign Affairs, respectively, and six additional Board members are	
2	nominated by different areas of the National Public Administration and appointed	
3	by the President of Argentina. These members of the Board appoint the ninth	
4	member, who also performs the duties of Executive and Technical Director and car	
5	only be removed upon good cause. The Board has broad administrative and	
6	supervisory powers, including the power to approve CONAE's internal regulations	
7	as well as its annual budget. The Executive and Technical Director is in charge of	
8	CONAE's day-to-day operations, including administering CONAE's property and	
9	hiring its administrative and scientific personnel. The Executive and Technical	
10	Director is CONAE's acting legal representative. The current Executive and	
11	Technical Director is Dr. Conrado Franco Varotto, a scientist with extensive	
12	experience in the field of space development and research.	
13	5. CONAE employs more than 177 individuals, including scientists,	
14	researchers and postgraduate trainees who are pursuing a wide range of projects,	
15	including projects relating to environmental pollution, control of oil spills, and	
16	studying the spread of disease.	
17	I declare under penalty of perjury under the laws of the United States of	
18	America that the foregoing is true and correct.	
19	Executed on May 2, 2011, in Buenos Aires, Argentina.	
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22	Oleh Jachno	
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MANATT, PHELPS & PHILLIPS, LLP ATTORNEYS AT LAW LOS ANGELES

DECLARACIÓN DE OLEH JACHNO

Yo, Oleh Jachno, declaro lo siguiente:

- 1. Soy un abogado empleado por la Comisión Nacional de Actividades Espaciales ("CONAE"), la agencia espacial argentina encargada del planeamiento, ejecución y evaluación del Plan Espacial Nacional de la República Argentina (la "Argentina" o la "República"). La CONAE promueve el uso pacífico de la tecnología y ciencia del espacio y coordina la investigación, desarrollo, y transferencia de tecnología espacial. Me desempeño como responsable de la Unidad de Asesoría Legal de la CONAE desde el año 2003. Tengo conocimiento personal de los hechos de esta declaración, y puedo testificar en forma competente sobre ellos, y lo haré, si se me convoca como testigo.
- 2. Presento esta Declaración para suministrar a la Corte una descripción del status legal y estructura de la CONAE, en apoyo al Memorando Legal de la República en Oposición a la Aplicación de los Demandantes para obtener Derecho a Embargo y Orden de Embargo.
- 3. La CONAE fue creada por Argentina en el año 1991 como un ente con independencia funcional para promover y desarrollar investigaciones científicas en el área de la tecnología espacial y con la misión de desarrollar el programa espacial nacional de la Argentina. Desde su creación, la CONAE ha sido una entidad autárquica dotada de personería jurídica propia, distinta de la República, y por lo tanto tiene independencia financiera y operativa. El Decreto 995/1991, que crea la CONAE, específicamente establece que la CONAE ha sido establecida con "plena autarquía financiera y administrativa". Bajo ley argentina, CONAE tiene plena capacidad para celebrar contratos en nombre propio y puede demandar como también ser demandada. La CONAE, de hecho, ha celebrado numerosos contratos durante sus 20 años de existencia y ha sido parte en demandas judiciales en nombre propio.
- 4. La CONAE es gobernada por un directorio compuesto por nueve

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miembros (el "Directorio"). El presidente y vicepresidente del Directorio son el Ministro de Relaciones Exteriores, Comercio Internacional y Culto y su Secretario de Relaciones Exteriores, respectivamente, y seis miembros son nominados por diferentes áreas de la Administración Pública Nacional y designados por el Poder Ejecutivo Nacional. Estos miembros del Directorio nombran al noveno miembro, que también desempeña funciones de Director Ejecutivo y Técnico y solo puede ser removido por causa fundada. El Directorio tiene amplias facultades de control y evaluación, incluida la facultad de aprobar el reglamento interno de CONAE y aprobar su presupuesto anual. El Director Ejecutivo y Técnico está a cargo de las operaciones del día a día de la CONAE, incluyendo la administración de los activos de la CONAE y la designación de su personal administrativo y científico. El Director Ejecutivo y Técnico ejerce asimismo la representación legal de la CONAE. El actual Director Ejecutivo y Técnico es Conrado Franco Varotto, un científico con amplia experiencia en el campo del desarrollo e investigación espacial.

5. La CONAE emplea a más de 177 individuos, incluyendo científicos, investigadores y becarios de postgrado, que están desarrollando variados proyectos de diferente temática tal como contaminación ambiental, control de derrame de petróleo, y el estudio del desarrollo de enfermedades, entre otros.

Declaro bajo pena de perjurio bajo las leyes de los Estados Unidos de América que lo anterior es verdadero y correcto.

Firmado el 2 de mayo de 2011, en Buenos Aires, Argentina.

Oleh Jachno

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Punties, LUP

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DECLARACIÓN DE OLEH JACHNO

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AFFIDAVIT OF TRANSLATOR REGARDING ACCURACY OF TRANSLATION

STATE OF NEW YORK)

:ss.:

COUNTY OF NEW YORK)

EZEQUIEL SANCHEZ HERRERA, being duly sworn, deposes and says:

I am a lawyer employed by Cleary Gottlieb Steen & Hamilton LLP presently residing and working within the State of New York and declare:

I am proficient with the Spanish language and the English language, have had prior experience in translating documents in those languages, have translated the foregoing document (Declaration of Oleh Jachno dated May 2, 2011) from Spanish into English and believe that the translation is complete and accurate.

Ezequiel Sánchez Herrera

Sworn to before me this 2th day of May, 2011

Notary Public

ELLEN M. KRIEGER
Notary Public, State of New York
No. 01 KR495304
Qualified in Richmond County
Certificate Filed in New York County
Commission Expires July 10, 20 14